

created; providing for the appointment of an assessor and collector and board of equalization for said district, and declaring an emergency,"

And find the same correctly engrossed.
PRICE, Vice-Chairman.

Committee Room,
Austin, Texas, January 27, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 105, A bill to be entitled "An Act creating and incorporating Webster Independent School District in Harris county, Texas, out of the territory now composing Common School Districts Nos. 19 and 13 of said county; providing that the title of the school property vested in said Common School Districts Nos. 19 and 13 shall vest in said Webster Independent School District, and that said independent school district assume the debts of said Common School Districts Nos. 19 and 13; providing for the board of trustees of said Webster Independent School District; providing the time and manner of their election; defining their powers and duties, and declaring an emergency."

And find the same correctly engrossed.
PRICE, Vice-Chairman.

Committee Room,
Austin, Texas, January 30, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 134, A bill to be entitled "An Act to amend Article 7383 of the Revised Civil Statutes of Texas of 1911, relating to the occupation tax based upon gross receipts of individuals, companies, corporations and associations engaged in the business of producing oil from oil wells in the State, as amended by Chapter 77 of the Acts of the Thirty-sixth Legislature of the State of Texas at its Regular Session; repealing Article 7383a as enacted by the Thirty-sixth Legislature, so that hereafter said Article 7383 shall read as follows, and declaring an emergency,"

And find the same correctly engrossed.
PRICE, Vice-Chairman.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Committee Room,
Austin, Texas, January 30, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 17, "An Act requiring the Board of Water Engineers and the State Reclamation Engineer, in conformity to the statutes determining their powers and duties, to make, and cause to be made, and report to the Governor, an adequate topographic and hydrographic survey of the stream watersheds of the State, to the end that flood control, water conservation and economic utilization in reclamation development may be made practicable, advancing all such work as found feasible in accordance with the relative importance to the public welfare; directing the order in which said surveys and reports shall be made; providing for an appropriation to carry out the provisions of this act, and declaring an emergency."

Have carefully compared same and find it correctly enrolled, and have this day at 4:45 o'clock p. m., presented same to the Governor for his approval.
HENDRICKS, Chairman.

EIGHTEENTH DAY.

(Tuesday, January 30, 1923.)

The House met at 3:26 o'clock p. m., pursuant to adjournment, and was called to order by Speaker Seagler.

The roll was called and the following members were present:

Abney.	Carpenter
Arnold.	of Dallas.
Atkinson.	Carpenter
Avis.	of Matagorda.
Baker of Orange.	Carson.
Baldwin.	Carter of Coke.
Barker.	Carter of Hays.
Barrett.	Chitwood.
Beasley.	Coffee.
Bell.	Collins.
Bird.	Covey.
Blount.	Cowen.
Bonham.	Crawford.
Brady.	Culp.
Bryant.	Davenport.
Burmeister.	Davis.
Cable.	DeBerry.

Dielmann.	Moore.
Dodd.	Morgan
Downs.	of Liberty.
Driggers.	Morgan
Duffey.	of Robertson.
Dunlap.	Pate.
Dunn.	Patman.
Durham.	Patterson.
Edwards.	Perdue.
Faubion.	Pinkston.
Fields.	Pool.
Finlay.	Pope.
Frnka.	Potter.
Fugler.	Price.
Gipson.	Quaid.
Green.	Rice.
Greer.	Robinson.
Hardin	Rogers.
of Kaufman.	Rountree.
Harrington.	Rowland.
Henderson	Russell
of Marion.	of Callahan.
Henderson	Russell of Trinity.
of McLennan.	Sackett.
Hendricks.	Sanford.
Houston.	Satterwhite.
Howeth.	Shearer.
Hughes.	Shires.
Hull.	Simpson.
Irwin.	Smith.
Jacks.	Sparkman.
Jennings.	Stevens.
Johnson.	Stewart
Jones.	of Edwards.
Kemble.	Stewart of Jasper.
Laird.	Stewart of Reeves.
Lamb.	Storey.
Lane.	Strickland.
LeMaster.	Stroder.
LeStourgeon.	Sweet.
Lewis.	Teer.
Looney.	Thompson.
McBride.	Thrasher.
McDaniel.	Turner.
McDonald.	Vaughan.
McFarlane.	Wallace.
McNatt.	Wells.
Martin.	Westbrook.
Mathes.	Wessels.
Maxwell.	Williamson.
Melson.	Wilmans.
Merriman.	Wilson.
Merritt.	Winfree.
Miller.	Young.
Montgomery.	

Absent.

Amsler.	Purl.
Hardin of Erath.	Stiernberg.
Loftin.	

Absent—Excused.

Baker of Milam.	Lusk.
Bobbitt.	McKean.
Dinkle.	Quinn.
Harris.	Stell.
Lackey.	

A quorum was announced present.
Prayer was offered by Rev. J. C. Mitchell, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Amsler for yesterday and today, on motion of Mr. Merriman.

Mr. Harris for today, on motion of Mr. Fields.

Mr. Stell for today, on motion of Mr. Stewart of Edwards.

Mr. Brady for yesterday, on motion of Mr. Shearer.

Mr. Bobbitt for today, on motion of Mr. Rogers.

Mr. Dinkle for today, tomorrow and Thursday, on motion of Mr. Beasley.

The following members were granted leaves of absence on account of sickness:

Mr. Stiernberg for today, on motion of Mr. Young.

Mr. Baker of Milam for today, on motion of Mr. Baker of Orange.

Mr. Lusk for yesterday and today, on motion of Mr. Bryant.

BILLS RECOMMITTED.

On motion of Mr. Henderson of Marion, House bill No. 204 was recommitted to the Committee on Criminal Jurisprudence.

On motion of Mr. Baldwin, House bill No. 130 was recommitted to the Committee on Public Lands and Buildings.

BILL ORDERED NOT PRINTED.

On motion of Mr. Carpenter of Dallas Senate bill No. 32 was ordered not printed.

BILLS ORDERED PRINTED.

On motion of Mr. Miller, House bill No. 147, reported adversely with a minority favorable report, was ordered printed.

Mr. Fugler moved that House bill No. 247, reported adversely with a minority favorable report, be printed.

Yeas and nays were demanded and the motion to print prevailed by the following vote:

Yeas—60.

Avis.	Barker.
Baker of Orange.	Beasley.
Baldwin.	Bonham.

Brady.	Mathes.
Bryant.	Merriman.
Burmeister.	Merritt.
Cable.	Montgomery.
Carpenter	Morgan
of Dallas.	of Liberty.
Carson.	Morgan
Carter of Coke.	of Robertson.
Carter of Hays.	Patman.
Chitwood.	Patterson.
Coffee.	Perdue.
Covey.	Pool.
Dielmann.	Price.
Dodd.	Purl.
Driggers.	Rice.
Duffey.	Robinson.
Durham.	Rogers.
Finlay.	Rountree.
Fugler.	Rowland.
Gipson.	Sanford.
Hardin of Erath.	Sparkman.
Henderson	Stevens.
of Marion.	Stewart
Hendricks.	of Edwards.
Irwin.	Storey.
Johnson.	Teer.
Laird.	Thompson.
LeSturgeon.	Wells.
Loftin.	Williamson.
McDaniel.	Wilson.

Nays—50.

Arnold.	Looney.
Atkinson.	McBride.
Barrett.	McDonald.
Bell.	Melson.
Bird.	Moore.
Carpenter	Pate.
of Matagorda.	Pinkston.
Culp.	Pope.
Davis.	Potter.
Dunn.	Russell
Fields.	of Callahan.
Green.	Sackett.
Hardin	Satterwhite.
of Kaufman.	Shearer.
Harrington.	Shires.
Henderson	Simpson.
of McLennan.	Stewart of Jasper.
Houston.	Strickland.
Howeth.	Stroder.
Hughes.	Sweet.
Hull.	Thrasher.
Jacks.	Turner.
Jennings.	Vaughan.
Kemble.	Westbrook.
Lamb.	Wessels.
Lane.	Winfree.
LeMaster.	Young.

Present—Not Voting.

Abney.	McFarlane.
Crawford.	McNatt.
Frnka.	Quaid.
Jones.	Russell of Trinity.

Absent.

Amsler.	Greer.
Blount.	Lewis.
Collins.	Martin.
Cowen.	Maxwell.
Davenport.	Miller.
DeBerry.	Smith.
Downs.	Stiernberg.
Dunlap.	Stewart of Reeves.
Edwards.	Wallace.
Faubion.	Wilmans.

Absent—Excused.

Baker of Milam.	Lusk.
Bobbitt.	McKean.
Dinkle.	Quinn.
Harris.	Stell.
Lackey.	

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Chitwood:

H. B. No. 370, A bill to be entitled "An Act to provide for the issuance of serial coupon bonds for the purpose of constructing teachers' homes and purchasing land in connection herewith, and declaring an emergency."

Referred to Committee on Education.

By Mr. Chitwood:

H. B. No. 371, A bill to be entitled "An Act to amend Article 2964, Revised Statutes, 1911, forbidding trustees and teachers to be interested in the sale of text books, and declaring an emergency."

Referred to Committee on Education.

By Mr. Chitwood:

H. B. No. 372, A bill to be entitled "An Act to amend Article 2760, Revised Statutes, 1911, authorizing the transfer of school children, and declaring an emergency."

Referred to Committee on Education.

By Mr. Chitwood:

H. B. No. 373, A bill to be entitled "An Act to amend Chapter 36, Section 1, Acts of the Thirty-sixth Legislature, providing for emergency transfer of school children, and declaring an emergency."

Referred to Committee on Education.

By Mr. Turner:

H. B. No. 374, A bill to be entitled "An Act declaring it an offense for any person, while masked or disguised, to go upon the premises of another for the purpose of committing any offense against the laws of this State, or for the purpose of intimidating or frightening the inhabitants thereof, or for any person, while masked or disguised, to commit 'an assault and battery' or 'an assault'; prescribing the punishment therefor, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Patterson:

H. B. No. 375, A bill to be entitled "An Act creating the Carbon Independent School District in Eastland county, Texas; defining its boundaries; providing for a board of trustees in said district; conferring upon said district and its board of trustees all the rights, powers, privileges, duties and liabilities now conferred and imposed by the general laws of Texas upon independent school districts, and the board of trustees thereof; declaring that all taxes or bonds heretofore authorized by any former school district included within the bounds thereof shall remain in full force and effect, and declaring an emergency."

Referred to Committee on School Districts.

By Mr. Westbrook:

H. B. No. 376, A bill to be entitled "An Act to insure greater safety to the traveling public through more adequate inspection under the supervision of the Railroad Commission, of the tracks, bridges, culverts and crossings, of common carriers within the State of Texas."

Referred to Committee on Common Carriers.

By Mr. Strickland:

H. B. No. 377, A bill to be entitled "An Act to safeguard the public in the purchase of pure bred cotton seed true to name; creating a State Board of Plant Breeder Examiners, defining their duties; establishing a system of registration and certification; providing that the State Board of Plant Breeder Examiners shall prescribe all necessary rules and regulations and pass upon the application of breeders and growers for registration and certification; providing further that the Commissioner of Agri-

culture shall make the necessary inspection for the proper enforcement of said act, and shall have printed tags to be placed upon the bags and other containers of cotton seed offered for sale under the terms of this act, and charge a fee for same; and to enforce the provisions of this act, prescribing penalties for the violation of said act; providing that this act shall be cumulative of Chapter 62, Acts of the Second Called Session of the Thirty-sixth Legislature, and declaring an emergency."

Referred to Committee on Agriculture.

By Mr. Thrasher:

H. B. No. 378, A bill to be entitled "An Act appointing and designating Mrs. M. E. Wheeler as assistant guide in charge of paintings, providing for her salary, making an appropriation, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Jones:

H. B. No. 379, A bill to be entitled "An Act to prohibit the hunting, trapping, ensnaring or killing of any wild deer, buck, doe or fawn within the limits of the county of Brewster, State of Texas, for a period of five years from and after the passage of this act, and providing a penalty therefor, and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Barrett:

H. B. No. 380, A bill to be entitled "An Act creating and establishing a common school district to be known as Common County Line School District No. 49, composed of parts of Fannin and Hunt counties; defining the powers of such district, prescribing the powers of the county board of school trustees in relation thereto, and declaring an emergency."

Referred to Committee on School Districts.

By Mr. Kemble:

H. B. No. 381, A bill to be entitled "An Act to amend Sections 656, 657, and 659 of the Revised Civil Statutes of 1911, so as to authorize counties, cities, whether under special charter or not, and towns to issue funding and refunding bonds, to provide for the terms of such bonds, and the man-

ner of their issuance, and to provide for the levy of a tax for the payment thereof, and declaring an emergency."

Referred to Committee on Municipal and Private Corporations.

By Mr. Lamb:

H. B. No. 382, A bill to be entitled "An Act to regulate measuring of gasoline by pumping devices; to require certain persons to keep certified measures for the purpose of testing; to require certain tests to be made; to prevent the use of incorrect pumping devices; prescribing a penalty for the enforcement of this act, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Russell:

H. B. No. 383, A bill to be entitled "An Act to amend Article 4621, Chapter 3, Title 68, of the Revised Statutes of Texas of 1911, as amended by Chapter 194, Section 1 of the Acts of the Regular Session of the Thirty-fifth Legislature and by Chapter 130, Section 1 of the Acts of the Regular Session of the Thirty-seventh Legislature; providing that the separate property of the wife may be mortgaged, pledged or incumbered for any purpose."

Referred to Judiciary Committee.

By Mr. Beasley:

H. B. No. 384, A bill to be entitled "An Act to amend Article 3889 of the Revised Civil Statutes of 1911, as said article was amended by House bill No. 449, Chapter 158, of the Regular Session of the Thirty-sixth Legislature of the State of Texas and by Chapter 20, Acts of the Second Called Session of the Thirty-sixth Legislature, State of Texas, relating to fees that may be retained by the county judges, sheriffs, clerks of the county courts, county and district attorneys, clerks of the district courts, collectors of taxes, assessors of taxes, justices of the peace and constables; by providing what disposition shall be made of excess fees, and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Carter of Coke and Mr. Carter of Hays:

H. B. No. 385, A bill to be entitled "An Act to amend Section 20 of Chapter 131, General Laws, passed at the Regular Session of the Thirty-sixth

Legislature, relating to the duties of sealers and inspectors of weights and measures so as to include the duty to inspect water meters, gas meters, and electric meters; and amending Section 22 of said chapter, by authorizing the superintendent of weights and measures to permit the use of any weighing or measuring device which has been marked 'Out of Order' to be used upon affidavit that same has been repaired and is weighing or measuring correctly, and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Teer, Mr. Beasley, Mr. Wallace, and Mr. Faubion:

H. B. No. 386, A bill to be entitled "An Act authorizing the retiring of seven hundred and fifty thousand (\$750,000) dollars, State of Texas Board of Prison Commissioners' Funding Notes now bearing seven per cent interest, from and after their due date, February 1, 1923, and the issuance in lieu thereof the State's obligation, dated February 1, 1923, in the same amount, due February 1, 1925, bearing interest at the rate of five per cent per annum, making an appropriation to pay the principal and interest thereon, and to pay the expenses of making said exchange, prescribing the duties of the Governor, State Treasurer, Comptroller, and Attorney General in reference thereto, and declaring an emergency."

Referred to Committee on Penitentiaries.

By Mr. Hull, Mr. Jacks, and Mr. Brady:

H. B. No. 387, A bill to be entitled "An Act prohibiting any district judge, county judge or justice of the peace in this State, from entering and approving any order, decree or final judgment in any case pending in their respective courts unless said order, decree or final judgment has been approved by the attorneys of record for all parties, or unless the attorneys of record for all parties are present and in the court room at the time said order, decree or final judgment is approved and entered by said district judge, county judge or justice of the peace, and providing an emergency."

Referred to Judiciary Committee.

By Mr. Rountree:

H. B. No. 388, A bill to be entitled "An Act to amend Chapter 141 of the

General Laws, Regular Session of the Thirty-seventh Legislature, by making further provision for the establishment of State forests; authorizing the board of directors of the Agricultural and Mechanical College of Texas to purchase lands, and expressing the conditions of such purchase, or of gifts, devises or transfers; providing that all land held for reforestation purposes shall be subject to all local taxes; fixing the limit that may be paid by the said board for such lands; and making an appropriation from the general revenues of the State for land purchases for reforestation and the demonstration of practical forestry."

Referred to Committee on Appropriations.

By Mr. Green, Mr. Pate, Mr. Young, and Mr. Crawford:

H. B. No. 389, A bill to be entitled "An Act to amend Title 17, Chapter 18, Vernon's Penal Code of Texas, 1916, by adding thereto Article 1422a relative to the offense of swindling so as to prohibit the obtaining of money or other things of value with intent to defraud by the giving or drawing of any check, draft or order upon any bank, person, firm or corporation with which the person giving or drawing such check, draft or order has not sufficient funds to pay same; providing that after ten days from the time such person giving or drawing such check, draft or order has received written notice as hereafter provided that payment of such check, draft or order is refused by the drawee be prima facie evidence of intent to defraud on the part of the person giving or drawing such check, draft or order; defining what shall constitute notice; providing a penalty; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to Judiciary Committee.

SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate bill No. 105, to the Committee on Banks and Banking.

Senate bill No. 62, to the Committee on Criminal Jurisprudence.

Senate bill No. 109, to the Committee on Banks and Banking.

EXTENDING THANKS TO UNIVERSITY BAND.

Mr. Robinson offered the following resolution:

H. C. R. No. 9, Extending thanks to University Band.

Whereas, The Longhorn Band of the University of Texas, on Friday night, January 26, rendered a concert in the hall of the House of Representatives for the entertainment of the Members of the House of Representatives and the Senate and their friends; and

Whereas, The splendid musical selections rendered by the said Longhorn Band were thoroughly enjoyed by all present; therefore, be it

Resolved, by the House of Representatives, the Senate concurring, That we send a unanimous vote of thanks to the members of the band, extending our appreciation of their talent and their efforts to entertain us; and be it further

Resolved, That the Chief Clerk be instructed to send a copy of this resolution to Burnett Pharr, director of the band.

Signed—Robinson, Kemble, Morgan of Robertson, Beasley, Dinkle, Young, Fugler, Price.

The resolution was read second time and was adopted.

RELATING TO INTERSTATE COMMERCE ACT.

Mr. Carpenter of Dallas offered the following resolution:

Resolved by the House of Representatives, the Senate concurring, That, whereas, it is impracticable for the Interstate Commerce Commission to attempt to supervise the distribution of cars throughout the United States; and

Whereas, There should be some governmental authority within reasonable reach to which appeal can be made to require equitable distribution of cars without regard to whether the same are to be used for shipments interstate or intrastate; therefore, be it

Resolved, That we respectfully urge upon Congress the amendment of the Interstate Commerce Act in such way that the regulatory authorities of the States may make reasonable orders and regulations not in conflict with Federal law, or with lawful orders of the Interstate Commerce Commission, requiring cars within the respective borders of

such States to be equitably distributed to shippers desiring the same, without regard to whether they are desired for use in shipments that are interstate or intrastate.

We urge upon Congress the repeal of Section 15a of the Interstate Commerce Act as amended by the Esch-Cummins Act and the making of such other amendments thereto as shall clearly limit and define the power as exists between the Interstate Commerce Commission and the Railroad Commission of Texas, that there may be no misunderstanding that the Railroad Commission of Texas definitely have the same authority over rates as existed before the enactment of the Transportation Act.

Resolved, That a copy of this resolution be mailed to each United States Senator and each member of Congress from Texas.

Signed—Carpenter of Dallas, Irwin.

The resolution was read second time and was adopted.

RELATING TO TEXAS EMPLOYERS' INSURANCE ASSOCIATION.

Mr. Rogers offered the following resolution:

Whereas, The Thirty-third Legislature of the State of Texas enacted what is known as the Workmen's Compensation Law and under the provisions thereof provided for the organization of the Texas Employers' Insurance Association as an agency through which the law might be effectively administered; and

Whereas, The Texas Employers' Insurance Association was duly organized in 1914 and has since that time been operating as an agency of the State in providing insurance for employers and employes who come within the provisions of the Workmen's Compensation Law; and

Whereas, It has come to the attention of the House of Representatives that those charged with the duty of administering the affairs of the association have abused the authority and privileges bestowed by the Legislature in that the officers and employes of the association have organized another insurance company, and have abused the association to their profit in conducting the business of the said company so organized under the name of the Employers' Casualty Company; and

Whereas, The Texas Employers' In-

surance Association has joined with other companies in the north and east in forming the Mutual Underwriters' Syndicate, which syndicate is engaged in writing insurance, not only for the members forming the syndicate, but also for any company in the nation that complies with the rules and regulations of the syndicate, thus engaging in a business far removed from Texas and foreign to the functions it was created to perform; and

Whereas, The said association pays its general manager a salary of \$25,000 per year; and

Whereas, Approximately \$75,000 of the funds of said association have been paid out for bonuses to the employes, and on special salaries to individuals in no way connected with the association; and

Whereas, Officials of the association have obtained loans from the association, approximating \$280,000; and

Whereas, Officers and employes of the association, who are charged with the public duty of impartially administering the affairs of the association for the mutual benefit of employers and employes alike, are now spending the funds of the association and their own time, which belongs to the association, in an effort to defeat proposed legislation to increase the compensation of employes; and

Whereas, The funds of the association have been paid out at various times to public officials, and in connection with the Legislature, such funds having been charged on the books to expense accounts, and otherwise camouflaged so as not to reflect the true nature of the transaction; and

Whereas, Numerous other irregularities, too numerous to be set out herein, have occurred in the conduct of the affairs of the said association, and have been brought to the attention of the House of Representatives; now, therefore be it

Resolved, That a committee of three Representatives be appointed to make an investigation of the affairs of the Texas Employers' Insurance Association; that said committee have all the rights, powers, and prerogatives conferred upon such committees by Articles 5517 to 5524, inclusive, of the Revised Civil Statutes of the State of Texas; that they have authority to employ an auditor, and, that the expenses incurred by the members of the committee in making said investigations, including their hotel bills,

board and transportation, as well as all other necessary and proper expenses, be paid out of the contingent expense fund of the House of Representatives.

The resolution was read second time.

On motion of Mr. Baldwin, the resolution was referred to the Committee on Insurance.

BILL SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and its caption had been read, the following enrolled bill:

H. B. No. 17, "An Act requiring the Board of Water Engineers and the State Reclamation Engineer, in conformity to the statutes determining their powers and duties, to make, and cause to be made, and report to the Governor, an adequate topographic and hydrographic survey of the stream watersheds of the State, to the end that flood control, water conservation and economic utilization in reclamation development may be made practicable, advancing all such work as found feasible in accordance with the relative importance to the public welfare; directing the order in which said surveys and reports shall be made; providing for an appropriation to carry out the provisions of this act, and declaring an emergency."

HOUSE BILL NO. 103 ON SECOND READING.

The Speaker laid before the House, as a special order for this hour, on its second reading and passage to engrossment,

H. B. No. 103, A bill to be entitled "An Act in the interest of maternity and infancy welfare and hygiene; accepting the provisions of an act of the United States Congress approved November 23, 1921, entitled 'An Act for the promotion of the welfare and hygiene of maternity and infancy and for other purposes,' commonly known as the Sheppard-Towner act; providing that the work shall be carried on through the State Board of Health through its bureau of child hygiene."

The bill was read second time.

Mr. Westbrook moved the previous question on the engrossment of the bill, and the main question was ordered.

Question first recurring on the engrossment of the bill, yeas and nays were demanded.

House bill No. 103 was then passed to engrossment by the following vote:

Yeas—106.

Arnold.	Loftin.
Atkinson.	Looney.
Avis.	McBride.
Barker.	McDonald.
Barrett.	McFarlane.
Beasley.	Martin.
Bell.	Mathes.
Bird.	Merriman.
Bonham.	Merritt.
Bryant.	Miller.
Burmeister.	Montgomery.
Cable.	Moore.
Carpenter	Morgan
of Dallas.	of Robertson.
Carpenter	Pate.
of Matagorda.	Patman.
Carson.	Patterson.
Carter of Coke.	Perdue.
Carter of Hays.	Pinkston.
Chitwood.	Pool.
Coffee.	Pope.
Covey.	Potter.
Cowen.	Purl.
Culp.	Quaid.
DeBerry.	Rice.
Dodd.	Robinson.
Driggers.	Rogers.
Duffey.	Rountree.
Dunn.	Rowland.
Durham.	Russell
Edwards.	of Callahan.
Faubion.	Russell of Trinity.
Fields.	Sackett.
Finlay.	Sanford.
Fugler.	Satterwhite.
Gipson.	Shearer.
Green.	Simpson.
Greer.	Smith.
Hardin of Erath.	Sparkman.
Harrington.	Stevens.
Henderson	Stewart
of Marion.	of Edwards.
Hendricks.	Stewart of Jasper.
Howeth.	Stewart of Reeves.
Hull.	Stroder.
Irwin.	Sweet.
Jacks.	Teer.
Jennings.	Thrasher.
Johnson.	Turner.
Jones.	Wallace.
Kemble.	Wells.
Laird.	Westbrook.
Lamb.	Wilms.
Lane.	Wilson.
LeMaster.	Winfree.
Lewis.	Young.

Nays—16.

Abney.	Frnka.
Baker of Orange.	Hardin
Baldwin.	of Kaufman.
Brady.	Henderson
Collins.	of McLennan.
Davis.	Houston.
Dielmann.	Hughes.

LeStourgeon. Thompson.
McDaniel. Wessels.
Storey.

Present—Not Voting.

Shires.

Absent.

Amsler. Melson.
Blount. Price.
Crawford. Morgan
Davenport. of Liberty.
Downs. Stiernberg.
Dunlap. Strickland.
McNatt. Vaughan.
Maxwell. Williamson.

Absent—Excused.

Baker of Milam. Lusk.
Bobbitt. McKean.
Dinkle. Quinn.
Harris. Stell.
Lackey.

MOTION TO TAKE UP HOUSE BILL NO. 103.

Mr. Dodd moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 103 be placed on its third reading and final passage.

The motion was lost, not receiving the necessary four-fifths vote by the following vote:

Yeas—98.

Mr. Speaker. Durham.
Arnold. Edwards.
Avis. Faubion.
Barrett. Fields.
Beasley. Finlay.
Bell. Green.
Bonham. Greer.
Bryant. Hardin of Erath.
Burmeister. Harrington.
Cable. Henderson
Carpenter of Marion.
of Dallas. Hendricks.
Carpenter Houston.
of Matagorda. Howeth.
Carson. Hull.
Carter of Hays. Irwin.
Chitwood. Jacks.
Covey. Jennings.
Cowen. Johnson.
Crawford. Jones.
Culp. Kemble.
DeBerry. Laird.
Dinkle. Lamb.
Dodd. Lane.
Driggers. LeMaster.
Duffey. Lewis.
Dunn. Looney.

McBride.
McDonald.
McFarlane.
Mathes.
Maxwell.
Merritt.
Miller.
Montgomery.
Moore.
Morgan
of Robertson.
Pate.
Patman.
Patterson.
Pinkston.
Pool.
Pope.
Potter.
Price.
Purl.
Quaid.
Rice.
Robinson.
Rogers.
Rountree.
Russell
of Callahan.
Russell of Trinity.
Sanford.
Shearer.
Simpson.
Smith.
Sparkman.
Stevens.
Stewart
of Edwards.
Stewart of Jasper.
Stewart of Reeves.
Stroder.
Sweet.
Teer.
Thrasher.
Turner.
Wallace.
Wells.
Westbrook.
Wilmons.
Wilson.
Winfree.
Young.

Nays—25.

Abney. Hardin
Atkinson. of Kaufman.
Baker of Orange. Henderson
Baldwin. of McLennan.
Barker. Hughes.
Bird. LeStourgeon.
Brady. Loftin.
Carter of Coke. McDaniel.
Collins. Merriman.
Davenport. Rowland.
Davis. Shires.
Dielmann. Storey.
Ernka. Thompson.
Gipson. Wessels.

Absent.

Amsler. Morgan
Blount. of Liberty.
Coffee. Perdue.
Downs. Sackett.
Dunlap. Satterwhite.
Fugler. Stiernberg.
McNatt. Strickland.
Martin. Vaughan.
Melson. Williamson.

Absent—Excused.

Baker of Milam. Lusk.
Bobbitt. McKean.
Harris. Quinn.
Lackey. Stell.

RELATING TO ADJOURNMENT.

Mr. Montgomery offered the following resolution:

H. C. R. No. 10, Relating to adjournment.

Resolved by the House of Representatives, the Senate concurring, That

the House and the Senate of the Thirty-eighth Legislature of the State of Texas, 1923, may adjourn from 12 o'clock noon, February 1, 1923, to 10 o'clock a. m., February 5, 1923, for the purpose of permitting the House and the Senate members to visit and inspect State institutions and State affairs in San Antonio, Kingsville, Laredo and the Rio Grande Valley between said dates.

Signed—Montgomery, Dunlap, Lewis, Pope, Bobbitt, LeSturgeon, Dielmann, Williamson, Davenport, Hull.

The resolution was read second time.

Mr. Satterwhite moved that the resolution be laid on the table subject to call.

The motion was lost.

Question then recurring on the resolution, it was adopted.

MOTION FOR SPECIAL ORDER.

Mr. Greer moved that House bill No. 97 be set as a special order for 2 o'clock p. m. tomorrow.

The motion was lost.

ADJOURNMENT.

On motion of Mr. Robinson, the House, at 6 o'clock p. m., adjourned until 10 o'clock a. m. tomorrow.

NINETEENTH DAY.

(Wednesday, January 31, 1923.)

The House met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Speaker Seagler.

The roll was called and the following members were present:

Abney.	Carson.
Arnold.	Carter of Coke.
Atkinson.	Carter of Hays.
Avis.	Chitwood.
Baker of Orange.	Coffee.
Barker.	Collins.
Barrett.	Covey.
Beasley.	Cowen.
Bell.	Crawford.
Bird.	Culp.
Blount.	Davenport.
Bonham.	Davis.
Brady.	DeBerry.
Bryant.	Dielmann.
Burmeister.	Dodd.
Cable.	Downs.
Carpenter	Driggers.
of Dallas.	Duffey.
Carpenter	Dunlap.
of Matagorda.	Dunn.

Durham.	Morgan
Edwards.	of Liberty.
Faubion.	Morgan
Fields.	of Robertson.
Finlay.	Pate.
Frnka.	Patman.
Fugler.	Patterson.
Gipson.	Perdue.
Greer.	Pinkston.
Hardin of Erath.	Pool.
Hardin	Pope.
of Kaufman.	Potter.
Harrington.	Price.
Harris.	Quaid.
Henderson	Rice.
of Marion.	Robinson.
Henderson	Rogers.
of McLennan.	Rountree.
Hendricks.	Rowland.
Houston.	Russell
Howeth.	of Callahan.
Hughes.	Russell of Trinity.
Hull.	Sackett.
Irwin.	Sanford.
Jacks.	Satterwhite.
Jennings.	Shearer.
Johnson.	Shires.
Jones.	Simpson.
Kemble.	Smith.
Laird.	Sparkman.
Lamb.	Stevens.
Lane.	Stewart
LeMaster.	of Edwards.
LeSturgeon.	Stewart of Jasper.
Lewis.	Stewart of Reeves.
Loftin.	Storey.
Looney.	Stroder.
McBride.	Sweet.
McDaniel.	Teer.
McDonald.	Thompson.
McFarlane.	Thrasher.
McNatt.	Turner.
Martin.	Vaughan.
Mathes.	Wallace.
Maxwell.	Westbrook.
Merriman.	Wessels.
Merritt.	Williamson.
Miller.	Wilmans.
Montgomery.	Wilson.
Moore.	Winfree.
	Young.

Absent.

Baldwin.	Strickland.
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Absent—Excused.

Amsler.	McKean.
Baker of Milam.	Melson.
Bobbitt.	Purl.
Dinkle.	Quinn.
Green.	Stell.
Lackey.	Stiernberg.
Lusk.	Wells.

A quorum was announced present.

Prayer was then offered by Rev. J. C. Mitchell, Chaplain.